

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-8, 10-18 and 20-22 are currently being prosecuted. The Examiner is respectfully requested to reconsider her rejections in view of the Amendments and Remarks as set forth hereinbelow.

CLAIM FOR PRIORITY

It is gratefully acknowledged that the Examiner has recognized the Applicant's claim for foreign priority. Because the Applicant's claim for foreign priority has been perfected, no additional action is required from the Applicant at this time.

DRAWINGS

The Examiner has not approved the Formal Drawings submitted by the Applicant. It is respectfully submitted that the drawings comply with the requirements of the USPTO. If the Examiner has any objections to the Formal Drawings, he is respectfully requested to contact the undersigned as soon as possible so that appropriate action may be taken. No further action is believed to be necessary at this time unless the undersigned receives a notice from the Examiner.

ACKNOWLEDGMENT OF INFORMATION DISCLOSURE STATEMENT

The Examiner has acknowledged the previously filed Information Disclosure Statements. An initialed copy of each of the PTO-1449 forms has been received from the Examiner. No further action is necessary at this time.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 5-11 and 15-20 stand rejected under 35 U.S.C. § 103 as unpatentable over Gogo. This rejection is respectfully traversed.

Independent claims 1 and 11 include a combination of elements and have been amended to include the subject matter recited in dependent claims 9 and 19, respectively. In more detail, independent claims 1 and 11 recite that the angle formed by the first axis and the second axis is an acute angle when the shock absorber is at the maximum extension position.

These features are supported at least by Fig. 2, which illustrates the first axis 25A and the second axis 26A forming an angle R that is an acute angle when the shock absorber 23 is at the maximum extension position. Note that Fig. 3 illustrates the angle formed between the first and second axes 25A, 26A passing through 90 degrees while the shock absorber 23 reaches from the maximum extension position shown in Fig. 2 to a compression position shown in Fig. 3, and as claimed by the present invention.

The Office Action indicates Gogo teaches a first axis 73 and a second axis 74 that cross each other at a steep angle and indicates that since the shock absorber is not described as being extended or in compression, is presumed to be near its neutral position, and thus it would have been obvious to one of ordinary skill in the art to configure the links and shock absorber of Gogo so that the angle between the links crosses 90 degrees between maximum and minimum compression of the shock absorber to provide a long range of motion of the shock absorber.

However, it is respectfully noted it is clear from Fig. 1 and Fig. 7 of Gogo, that the shock absorber 34 is in the uncompressed position. In addition, it can be clearly seen in Fig. 6 that the angle between the first axis along the first link 73 and the axis along the second link 74 is actually greater than 90 degrees. Thus, in Gogo, when the rear wheel is lifted causing the shock absorber to compress, the angle between the first and second axes would even be larger than the state shown in Fig. 7. Therefore, the angle formed by the first and second axes is never an acute angle in Gogo.

Accordingly, it is respectfully submitted independent claims 1 and 11 and the claims depending therefrom are allowable.

Further, it is respectfully submitted the rejections of claims 2 and 12 under 35 U.S.C. § 103(a) as unpatentable over Gogo in view of Shiratsuchi, and claims 2-4 and 12-14 under 35 U.S.C. § 103(a) as unpatentable over Gogo in view of Miyakoshi have also been overcome as the claims rejected therein are dependent claims and these additional references also do not teach or suggest the features nor the combinations thereof recited in the independent claims.

NEW CLAIMS

In addition, new claims 21 and 22 have been added to set forth the invention in a varying scope and Applicant submits that the new claims are supported by the originally filed specification. For example, new independent claim 21 is similar to original independent claim 1 and recites that the rotational shaft connecting respective centers of the first and second links is provided at a position overlapping the swing arm as viewed from a side of the vehicle, when the shock absorber is at a maximum compression position. Figure 3 illustrates these features. In addition, independent claim 22 is similar to original independent claim 1, and recites that the first and second links are provided in front of the shock absorber. These features are illustrated in Figures 5 and 6, for example. It is respectfully submitted these features are also not taught or suggested in the cited art.

CONCLUSION

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone David A. Bilodeau at (703) 205-8072 in the Washington, D.C. area.

Application No. 10/815,736
Amendment dated May 25, 2006
Reply to Office Action of February 7, 2006

Docket No.: 0505-1289PUS1

Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants hereby petition for an extension of one (1) months to June 7, 2006 in which to file a reply to the Office Action. The required fee of \$120.00 is enclosed herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to deposit Account no. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: May 25, 2006

Respectfully submitted,

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